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SOCI  
SUBJECT: KOSOVO: NEW MISSING PERSONS COMMISSION NOT  
PREPARED TO TAKE ON ALL COMPETENCIES

REF: A. PRISTINA 782  
[1](#)B. PRISTINA 01091  
[1](#)C. PRISTINA 480

Classified By: COM Tina Kaidanow for reasons 1.4 (B) AND (D).

[1](#)1. (SBU) SUMMARY. The Kosovo Government's new missing persons commission met for the first time on December 13 to discuss its composition and competencies. While the establishment of the commission is a positive step on a political level, the government is currently unprepared to take on the highly technical forensic functions carried out by experts in UNMIK's Office of Missing Persons and Forensics (OMPF). Throughout the transition period, OMPF should retain its current competencies over exhumations, autopsies, identifications and repatriations, while greatly expanding its capacity-building role. Doctors at Kosovo's Forensics Institute need rigorous training before they can take over forensics competencies from OMPF. END SUMMARY.

New Commission Created...

[1](#)2. (SBU) Kosovo's Provisional Institutions of Self Government (PISG) decided October 10 to establish a new Government Commission for Missing Persons (GCMP). (NOTE. For now, the new GCMP will coexist alongside the government's pre-existing missing persons commission headed by missing persons family member Nesrete Kumnova. END NOTE.) That decision was directly based on a discussion paper that the International Commission on Missing Persons (ICMP) gave the government in August (Ref A). Per the ICMP proposal, the decision states that the GCMP will be responsible for all political and scientific issues related to resolving cases of missing persons, including raising public awareness, coordinating with family member associations, and cooperating with relevant judicial authorities including the ICTY, as well as collecting data on grave sites, conducting exhumations, autopsies and identifications, preserving mortal remains, and repatriating identified remains to family members.

[1](#)3. (SBU) The GCMP held its first inter-ministerial meeting

on December 13 to discuss its membership and terms of reference. Representatives from the Ministry of Justice, Ministry of Internal Affairs, and Ministry of Labor and Social Welfare attended the meeting, along with the head of UNMIK's Department of Justice (DOJ) Al Moskowitz, Pristina head of the International Committee of the Red Cross (ICRC) Gherardo Pontrandolfi, and Sarajevo-based ICMP chief of staff Kathyne Bomberger. Bomberger said the GCMP will meet again early next year to discuss the nomination of a head and co-head (slated to be a Kosovo Albanian and a non-Albanian, respectively), as well as the establishment of two advisory boards: one for experts and one to represent family member associations.

#### But Its Beginning Inauspicious

¶4. (C) Moskowitz told us that the first meeting was "nonproductive," and shared his concerns that the GCMP is an effort by the government to look like it is doing something, by organizing meetings, committees and working groups without actually finding, identifying or returning any bodies. Several ministries, he said, had resisted the ICMP's proposal that each ministry be represented on the GCMP by their permanent secretaries, instead wanting to send lower level representatives. He indicated that this will dilute the value of the GCMP as a political tool facilitate progress on resolving cases of missing persons. Prime Minister Agim Ceku's advisor on missing persons Arif Mucolli told us on November 29 that although the GCMP is meant to be a "strengthened" version of the previous commission, he conceded that an organization like ICMP is more likely to get leads on new grave sites than the PISG.

PRISTINA 00001099 002 OF 002

¶5. (C) Moskowitz also expressed serious concerns about the GCMP's plan, based directly on the ICMP proposal, to transition UNMIK OMPF's mandate and competencies into Kosovo's pre-existing Forensics Institute (currently under the Ministry of Health, but slated to be transferred to the Ministry of Justice). Moskowitz asserted that OMPF is one of UNMIK's greatest successes, and argued that it should be allowed to keep its current competencies for as long as possible. He admitted that it is inevitable that the Forensic Institute's doctors will eventually take over OMPF's functions, but said they must be required to undergo full forensics training to bring them up to international standards before being allowed to take over OMPF's new facility and laboratories (Ref B). Even Bomberger, whose ICMP proposal instigated the creation of the GCMP, admitted to us that the government lacks capacity to fully take on scientific aspects of the search for missing persons, and conceded that doctors at the Forensics Institute "lack basic skills."

¶6. (SBU) Acting OMPF Director Valerie Brasey told us that when UNMIK created OMPF in 2002, its attempts to incorporate doctors and staff from the Forensics Institute were mostly unsuccessful because the majority of the institute's doctors resisted the rigorous training OMPF required in order to bring their skills up to international standards (Ref C). Although several of the doctors did accept the training and transfer to OMPF, most refused and have since then continued to earn their PISG salaries at the Forensics Institute (which has no remaining competencies). She said that the lack of local forensic scientists with advanced training is a major problem that is negatively impacting progress in the resolution of missing persons cases. Kujtim Kerveshi, advisor to Justice Minister Jonuz Salihaj, told us on December 21 that there is no local capacity to handle advanced forensic elements of missing persons work, and said that they need OMPF's international experts to stay on as long as possible. However, he said the Ministry does not have the money to fund these salaries.

Comment

¶7. (C) The new government commission on missing persons is an ambitious attempt by the government to take on, or at least appear to take on, all competencies related to missing persons. While it is an important step, the lack of commitment by the PISG at the first meeting to ensure ongoing high-level engagement is indicative of a lack of seriousness on the part of the government to take real action on missing persons. OMPF is doing an excellent job despite the lack of new leads, and should be allowed to continue its work throughout the transition period. However, OMPF needs to play a greater role in training local doctors, and mechanisms need to be put in place to ensure that only properly trained staff can take over OMPF's facilities and competencies regardless of what organization takes on its responsibilities post-status. END COMMENT.

¶8. (U) Post clears this message in its entirety for release to Special Envoy Martti Ahtisaari.  
KAIDANOW